



STATE EMPLOYMENT POLICY CHANGES DUE TO CORONAVIRUS

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Gathering Size Restrictions

State	Limit	Status
Alabama Safer at Home Order Extension	All non-work related gatherings of any size, including drive-in gatherings, that cannot maintain a consistent six-foot distance between persons from different households are prohibited.	11/04 – issued, effective until 12/11
Alaska Reopening Plan and Phase 3/4 Guidance	No set limit	05/22 – effective
Arkansas Department of Health Directive	10 people	03/26 – issued, expires until revoked

State	Limit	Status
Colorado EO 2020-044	10 people	04/26 – updated
District of Columbia Mayor's Order 2020-119	Indoors: 10 people Outdoors: 25 people	11/23 – issued, effective until 12/31
Florida Executive Order 20-112	10 people	04/29 - updated
Illinois Executive Order 2020-10	10 people	03/20 – issued
Indiana Executive Order 20-08	10 people	03/23 – issued
Iowa Proclamation of Disaster Emergency	No limit, but for groups larger than 25 people indoors and over 100 people outdoors, masks are required	11/11 – issued, effective until 12/30

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State	Limit	Status
Kansas Reopening Plan (Phase 3)	45 people	06/08 – effective
Kansas Healthy at Work Guidance	50 people	06/16 – issued 06/29 – effective
Louisiana Proclamation 33 JBE 2020	10 people	03/23 – issued
Maine 16 FY 20/21	50 people	11/04 – issued
Maryland Executive Order 2020-06-10-01	No limit	06/10 – issued
Massachusetts COVID 19 Order No. 46	Indoors – 8 people per 1,000 sq. ft, not to exceed 25 people in a single enclosed space Outdoors – 25% of the maximum occupancy	08/06 – issued
Michigan Department of Health and Human Services Nov. 15 Emergency Order	Indoors – 10 people Outdoors – 25 people, 20 persons per 1,000 square foot of space, or 20% of seating capacity	11/15 – issued, effective until 12/08
Minnesota Emergency Executive Order 20-56 and Stay Safe MN Plan	Indoors – 10 people Outdoors – 25 people	06/10– updated

State	Limit	Status
Mississippi Executive Order 1492	Social distancing not possible: Indoors – 20 people Outdoors – 50 people Social distancing possible: Indoors – 50 people Outdoors – 100 people	05/28 – issued 06/15 – effective
Montana Nov. 17 Directives	25 people	11/17 – updated
Nebraska Directed Health Measure 2020-11	10 people	04/30 - updated
New Hampshire Emergency Orders 52 and 66 Universal Business Guidelines	No limit, but businesses must abide by social distancing guidelines	06/15 - issued, effective until 10/01
New Jersey Executive Orders 161 and 173	Indoors – 25% capacity of a room but no more than 25 people or 100 people if it is a religious or political gathering Outdoors – 500 people	07/02 – issued (EO 161) 08/03 – issued (EO 173)

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State	Limit	Status
New Mexico Nov. 13 Public Health Order	5 people	11/13 – issued, effective until 11/30
New York Executive Order 202.45	50 people or 50% capacity of an area, whichever is less	06/26 – issued, effective until 07/26
North Carolina Executive Orders 141 and 147	Indoors – 10 people Outdoors – 25 people	05/20 – issued, effective 05/22 – 07/17 (extended)
North Dakota Executive Order 2020-06.7 ND Smart Restart Standards	Depends on business risk level	05/22 – issued, effective until end of state of emergency
Ohio Department of Health Orders: 05/29 and 06/30	10 people	05/29 – issued, effective until 07/07
Oregon Two-Week Freeze	6 people	11/13 – issued, effective 11/18 – 12/02
Rhode Island Executive Order 20-100	All gatherings except weddings must be limited to members of a single household	06/30 – issued, effective until revoked

State	Limit	Status
Texas Executive Order GA-28	CISA Essential Businesses – no limit Non-Essential Businesses – 50% capacity Outdoors – 100 people, more allowed with city approval	06/26 – issued, no expiration given
Virginia Executive Order 53	10 people	03/23 – issued
Vermont Addendum 16 to Executive Order 01-20	25 people	05/29 – issued, effective until 06/15
Washington Proclamation 20-25.8	Indoor: prohibited unless they quarantine for the 14 days prior to the social gathering or quarantine for the seven 7 days prior to the gathering, and receive a negative COVID-19 test result no more than 48-hours prior to the gathering. Outdoor: 5 people.	11/15 – issued, effective until 12/04
West Virginia Executive Order 9-20	10 people	03/23 - issued

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Leave Policies

Enacted

Action	Notes	Status
Colorado State of Emergency Proclamation	<p>Governor Jared Polis announced he directed the Colorado Department of Labor and Employment to create emergency rules that would ensure paid sick leave for workers in food handling, hospitality, childcare, health care and education who are awaiting testing.</p> <p>He has also requested the private sector voluntarily offer paid sick leave for those that don't have it (non-binding)</p>	03/10 – Declared
Nevada Department of Business and Industry Guidance	<p>The department is mandating that employers do not count mandatory government quarantine as leave that is counted against the employee or taken from their leave balance if the company is mandated to provide paid sick leave under state law.</p> <p>Employers are encouraged to pay employees for the time they are out on a mandatory government quarantine but are not required to do so.</p> <p>Employees can request to use paid leave during a mandatory government quarantine.</p>	03/11 - issued
New Jersey SB 2374/Ch. 303	<p>This law expands the Family Leave Act (FLA) to include leave from employment so that an employee may provide care to a family member made necessary by an epidemic of a communicable disease, a known or suspected exposure to a communicable disease, or efforts to prevent spread of a communicable disease.</p> <p>The amendments to the FLA will allow employees forced to care for family members during the COVID-19 outbreak to take up to 12 weeks of family leave in a 24-month period without losing their jobs.</p> <p>Family leave may be paid, unpaid, or a combination of paid and unpaid leave. If an employer provides paid family leave for fewer than 12 workweeks, the additional weeks of leave added to attain the 12-workweek total required by this act may be unpaid.</p>	04/14 – approved by governor

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Proposed

Action	Notes	Status
California AB 3216	<p>This bill would make it an unlawful employment practice for any employer to refuse to grant a request by any employee to take family care and medical leave due to the coronavirus (COVID-19).</p> <p>Family care leave includes leave to care for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner who has been diagnosed with or quarantined because of the coronavirus.</p> <p>Employers are not required to pay the employee for leave taken due to coronavirus if the employee does not have accrued leave.</p>	09/30 – vetoed
California SB 943	<p>The bill would authorize family leave benefits with wage replacement for workers who take time off work to care for a minor child whose school has been closed due to the COVID-19 virus outbreak.</p>	11/30 – died in committee
Kentucky SB 282	<p>This bill would mandate employers to provide sick leave at a minimum 1.5 hours for every thirty hours worked.</p> <p>This leave accrues and carries over after a calendar year, but employers are not obligated to provide more than 48 hours of accrued sick leave.</p> <p>The bill also declares a state of emergency, but the sick leave provisions will continue after the emergency.</p>	<p>03/06 – referred to Senate Economic Development, Tourism, and Labor Committee</p> <p>Failed sine die</p>
Massachusetts HB 4928	<p>The bill would grant all employees who work 40 hours or more per week shall be provided at least 80 hours of emergency paid sick time under this section. Employees who work fewer than 40 hours in a week shall be provided emergency paid sick time under this section in an amount equal to at least the amount of time the employee is otherwise scheduled to work or works on average in a 14-day period.</p> <p>It would also permit employees to use paid sick time for absences due to an employee’s need to self isolate to care for oneself or a family member who is experiencing symptoms of coronavirus.</p>	07/31 – referred to House Ways and Means committee

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Minnesota HF 3532/SF 4194	Among other provisions, these bills would clarify that any quarantine period runs concurrently with paid leave benefits, so the days spent in quarantine expends accrued leave if the employee does not work from home.	HF 3532: 02/19 – referred to House Health and Human Services Policy Committee SF 4149: 03/09 – referred to Senate Health and Human Services Finance and Policy Committee Failed sine die
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Unemployment Benefits

Enacted

Action	Notes	Status
Alaska HB 308/Chapter 4 SLA 20	The law waives the mandatory waiting period for workers to collect unemployment benefits during the state of emergency. It also establishes an allowance for eligible dependents of \$75/week.	03/26 – signed by governor, effective immediately
Arizona SB 1694/Chapter 48	The law gives the Department of Economic Security power to modify alternative benefit eligibility and employer contribution requirements for the federal-state unemployment insurance program.	03/27 – signed by governor, effective immediately
California Executive Order N-25-20	This order waives the one week waiting period for unemployment insurance applicants who are unemployed as a result of the coronavirus.	03/04 -issued
District of Columbia B B3-0718/Act A23-0247 B 23-0983/Act A23-0435	The laws allow workers that have become unemployed or partially unemployed due to the coronavirus to receive unemployment insurance and waives work-search requirements.’ It also creates a public health emergency grant program for small businesses affected by the outbreak.	B23-0718 – effective 03/20 – 6/15/20 B23-0983: effective 11/06 – 1/26/21
Florida Executive Order 20-104	The order waives the requirement that unemployment benefit claimants must be “actively seeking work” to qualify for benefits.	04/16 – issued, effective until revoked
Kansas Executive Order 20-38 Expired	The order allows workers that have become unemployed or partially unemployed due to the coronavirus to receive unemployment insurance immediately and waives work-search requirements.’	05/26 – issued, effective until 06/30
Kansas HB 2016	The law provides is not ineligible for benefits on the basis of not actively seeking work during a disaster emergency. It also waives the waiting week requirement for new claims filed from April 5, 2020, through December 26, 2020, in accordance with the Families First Act and the CARES Act.	06/08 – approved by governor, effective immediately

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Massachusetts SB 2618/Ch. 81	This law waives the one-week waiting period for unemployment benefits during the state of emergency.	05/26 – signed by governor, effective immediately
Michigan Executive Order 2020-10 Expired	The order extends unemployment benefits to individuals who become unemployed because of self-isolation or self-quarantine and individuals who become unemployed because of an executive order requiring their employer to close or limit operations.	03/16 – issued, valid until 04/14
Michigan SB 886/Act 229	<p>This law requires an unemployed individual receiving benefits to be actively engaged in seeking work, but this requirement can be waived if the individual is laid off and his or her employer notifies the Unemployment Insurance Agency that the layoff is temporary.</p> <p>It prohibits any benefit paid to a claimant that was laid off or placed on a leave of absence because of COVID-19 from being charged to the account of the employer who otherwise would have been charged and instead require the benefit to be charged to the nonchargeable benefits account.</p> <p>It also specifies that an individual would be considered to have left work involuntarily for medical reasons if he or she left work to self-isolate or self-quarantine in response to elevated risk from COVID-19 because he or she was immunocompromised, among other circumstances related to COVID-19.</p> <p>It requires an individual to be considered unemployed during a leave of absence because the individual self-isolated or self-quarantined in response to elevated risk from COVID-19 because he or she was immunocompromised, among other circumstances related to COVID-19</p>	10/20 – signed by governor, effective immediately
Minnesota Executive Order 20-05	The order waives the non-payable week requirement to become eligible for unemployment benefits, allowing workers to gain eligibility as quickly as possible.	03/16 - issued
Nebraska Executive Orders 20-04 (original) and 20-31 (most recent update) Expired	<p>The orders direct the Department of Labor to treat workers who are unpaid for any reason as a result of COVID-19 exposure or illness as being on a temporary layoff and attached to their employment.</p> <p>Work search requirements were waived but were reinstated effective 07/12.</p>	03/17 – issued, effective until 07/12

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Action	Notes	Status
	<p>They also grant employers relief from charging benefits paid to individuals eligible for unemployment or short-time compensation benefits as a result of COVID-19 exposure or illness from 03/22 – 08/01.</p> <p>They also grant employers relief from charging and appeal rights when an employer's failure to respond to requests for separation information within ten days is reasonably attributable to absences or temporary separations resulting from COVID-19 exposure or illness.</p>	
New York SB 8091/Chapter 25	<p>The law provides various unemployment benefits to private-sector employees that are subject to mandatory or precautionary quarantine or isolation due to COVID-19, depending on the size of the company:</p> <ul style="list-style-type: none"> • For employees working for small employers (1-10 employees) - unpaid sick days, immediate paid family leave, and temporary disability benefits. • For employees working for medium sized employers (11-99 employees) and small employers (1-10 employees) with a net income of \$1 million a year – five paid sick days, paid family leave and temporary disability benefits after the five sick days. • For employees working for large employers (100 or more employees) – paid sick days for the entirety of the quarantine (up to 14 days). <p>All employees will be eligible for full job protection.</p>	03/18 – signed by governor, effective immediately
Ohio Executive Order 2020-03D	<p>The governor ordered that individuals who are quarantined or totally or partially employed will be able to immediately claim unemployment benefits.</p> <p>Workers can only claim unemployment benefits if they do not have access to leave benefits from their employer.</p>	03/16 – issued, effective until end of state of emergency
Ohio Executive Order 2020-24D	<p>The order allows certain individuals who refuse to return to work due to COVID-19 receive unemployment benefits. This includes individuals with a medical professional's recommendation to not return to work, those over age 65, and those who must care for family members suffering from COVID-19.</p>	06/16 – issued, effective until end of state of emergency
Utah SB 3003	<p>The law waives the one week waiting period to receive unemployment benefits during a national state of emergency.</p>	04/20 – signed by governor, effective immediately until end of state of emergency

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Proposed

Action	Notes	Status
Massachusetts HB 5066	This bill would increase employment benefits for all those receiving less than \$100 per week to \$100 for the period between 08/01 – 09/05.	10/22 – passed House Labor and Workforce Development & referred to House Ways and Means Committee
New Jersey AB 3846	<p>The bill would appropriate \$20 million to create a “Temporary Lost Wage Unemployment Program, which would allow affected workers to claim for lost wages due to COVID-19 if they do not have fully paid leave.</p> <p>It would also require employers to pay wages to workers ordered under quarantine by licensed healthcare practitioner.</p>	05/04 – vetoed

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